

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 1 and replaces the original sheet with Figs. 1-3.

Attachment: Replacement Sheet

REMARKS

Claims 1-10 are pending in this application. By this Amendment, Figure 1 and claims 5 and 6 are amended. Claims 5 and 6 are amended for form. No new matter is added.

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on October 6, 2006. Applicants received from the Examiner a copy of the Form PTO-1449 initialed that acknowledges the fact that the Examiner has considered the cited references 1-3 and 5-9. However, reference 4, U.S. Patent Application Publication No. 2003/0232557 to Korfer, was not acknowledged and crossed-out, but no reason was provided for not acknowledging this reference. This reference was correctly identified and submitted in accordance with 37 CFR §1.98. Thus, the Examiner is requested to initial and return to the undersigned a copy of the Form PTO-1449 acknowledging consideration of reference 4. For the convenience of the Examiner, a copy of that form is attached.

I. The Specification Satisfies Formal Requirements

The disclosure is objected to for informalities. Specifically, the Office Action asserts that the specification discloses a longitudinal and traverse direction and that "[i]t is unclear as how the applicant is applying these directions with respect to the dimensions of the belt." By this Amendment, Figure 1 is amended as requested in the Office Action to include arrows depicting the longitudinal and traverse directions. Withdrawal of the objection is thus respectfully requested.

II. Claim 5 Satisfies the Requirements of 35 U.S.C. §112, Second Paragraph

Claim 5 is rejected under 35 U.S.C. §112, second paragraph. By this Amendment, claim 5 is amended to remove the alleged indefinite term, "high," and thus claim 5 as amended obviates the rejection. Withdrawal of the rejection is thus respectfully requested.

III. The Claims Define Patentable Subject Matter

A. Rejection over Phely

Claim 1 is rejected under 35 U.S.C. §102(e) over U.S. Patent Application Publication No. 2004/0029669 to Phely. The rejection is respectfully traversed.

Phely fails to disclose a press belt made including "an innermost yarn layer closest to the inner surface being formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, and a middle yarn layer being formed by transverse longitudinally adjacent reinforcement yarns of the press belt, wherein an outermost yarn layer closest to the outer surface of the press belt is formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, which absorb energy and are restored from deformation with delay in connection with deformation," as recited in independent claim 1.

The Office Action asserts that an endless belt 12 of Phely corresponds to the claimed press belt; and a cable 30, an inner layer 50 and a layer 52 of Phely correspond to the claimed innermost yarn layer, middle yarn layer and outermost yarn layer, respectively. These assertions are respectfully traversed for at least the following reasons.

First, Phely does not disclose a press belt, which can be used in presses associated with papermaking. See, e.g., the specification at paragraph [0022]. Phely merely discloses a flexible caterpillar track 10 that is formed from the endless belt 12 and that has been reinforced with cables comprising a plurality of strands each formed from steel filaments. See, e.g., Phely, paragraphs [0048] and [0056] and Figure 3. The thick belt 12 of Phely cannot reasonably be considered a press belt nor be used in presses associated with papermaking.

Second, the alleged layers of Phelps are in directions with respect to the belt 12 opposite of the claimed layers. The inner layer 50 of the Phely is in the transverse direction in relation to the caterpillar track; the cable 30 is in the longitudinal direction of the caterpillar

track helically wound, and the layer 52 is in the transverse direction. Thus, Phely does not disclose an innermost yarn layer formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, a middle yarn layer formed by transverse longitudinally adjacent reinforcement yarns of the press belt, and an outermost yarn layer formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, as recited in claim 1.

Further, the transverse yarns of layer 52 of Phely cannot reasonably absorb energy and be restored from deformation with delay in connection with deformation, as recited in independent claim 1.

Thus, for at least these reasons, independent claim 1 is patentable over Phely.

Withdrawal of the rejection is thus respectfully requested.

B. Rejections Over Kawashima

Claims 1, 2, 4, 7 and 9 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,624,338 to Kawashima et al.; and claims 3, 4 and 6 are rejected under 35 U.S.C. §103(a) over Kawashima. The rejections are respectfully traversed.

Kawashima fails to disclose or render obvious "an innermost yarn layer closest to the inner surface being formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, and a middle yarn layer being formed by transverse longitudinally adjacent reinforcement yarns of the press belt, wherein an outermost yarn layer closest to the outer surface of the press belt is formed by longitudinal and transversely adjacent reinforcement yarns of the press belt, which absorb energy and are restored from deformation with delay in connection with deformation," as recited in independent claim 1.

The Office Action asserts that the double V-ribbed belt 44 of Kawashima corresponds to the claimed press belt; and a monofilament fiber 68, load carrying cords 62 and a monofilament fiber 66 of Kawashima correspond to the claimed innermost yarn layer, middle

yarn layer and outermost yarn layer, respectively. The Office Action further asserts that Figure 3 of Kawashima discloses that the alleged yarns of the alleged outermost yarn layer absorb energy and are restored from deformation with delay in connection with deformation. These assertions are respectfully traversed for at least the following reasons.

First, Kawashima does not disclose a press belt, which can be used in presses associated with papermaking. See, e.g., the specification at paragraph [0022]. Kawashima merely discloses a double V-ribbed belt 44 that is used in automotive constructions. See, e.g., Kawashima at col. 1, lines 12-19, col. 4, lines 57-60 and Figure 3. The double V-ribbed belt of Kawashima cannot reasonably be considered a press belt nor be used in presses associated with papermaking.

Second, the fiber 66 of Kawashima cannot reasonably correspond to the claimed outermost yarn layer. The Office Action asserts Figure 3 discloses that yarns of this layer absorb energy and are restored from deformation with delay in connection with deformation. However, Kawashima does not disclose this feature. More specifically, based on the disclosure of Figure 3, one of ordinary skill would not have concluded or arrived at those features.

Thus, for at least these reasons, claim 1 is patentable over Kawashima. Further, claims 2-4, 6, 7 and 9, which depend from claim 1, are also patentable over Kawashima for at least the reasons discussed above, as well as for the additional features they recite.

For example, Kawashima does not disclose or render obvious that the material and/or structure of the reinforcement yarns of the outermost yarn layer are more flexible than the reinforcement yarns of the middle yarn layer, as recited in claim 2.

The Office Action asserts that Kawashima discloses this feature at col. 5, lines 5-6 and 59-62. However, Kawashima merely discloses materials for the cords 62 include at least one of polyester, polyamide, aramid, carbon or glass fiber; and materials for the fiber 66 includes

synthetic fiber material, such as nylon, polyester, vinylon, aramid or the like. Kawashima does not disclose the flexibility characteristics nor discloses a comparison of the flexibility characteristics of the cords 62 and fibers 66. In fact, the cords 62 and fibers 66 can be made from the same materials, e.g., polyester and aramid.

Further, Kawashima does not disclose the features of 3, 4 and 6. The Office Action acknowledges that Kawashima does not explicitly disclose these features. The Office Action further asserts that it would have been obvious to one of ordinary skill in the art to modify the belt of Kawashima to include these features because "it has been held that where the general conditions of a claim disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art," relying on *In re Aller*. However, the general conditions of claims 3, 4 and 6 cannot be found in Kawashima. As discussed above, Kawashima does not disclose the flexibility characteristics of the materials of the alleged layers. Thus, it is improper to rely on *In re Aller* to remedy Kawashima's deficiencies.

Withdrawal of the rejections is thus respectfully requested.

C. Rejections over Kawashima and Takano

Claims 5, 8 and 10 are rejected under 35 U.S.C. §103(a) over Kawashima in view of U.S. Patent No. 4,555,241 to Takano et al. The rejection is respectfully traversed.

Takano does not remedy the above-described deficiencies of Kawashima with respect to claim 1, from which claims 5, 8 and 10 depend. Takano also discloses a V-belt used for automatic construction, and more specifically, power transmission. See, e.g., Takano, col. 1, lines 5-9. Thus, Takano, like Kawashima, cannot reasonably correspond to a press belt.

Thus, claims 5, 8 and 10 are patentable over the applied Kawashima and Takano, for at least the reasons discussed above, as well as for the additional features they recite.

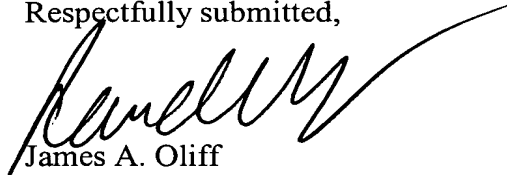
Withdrawal of the rejection is thus respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:RBI/mcp

Attachments:

Replacement Sheet (Figs. 1-4)
October 6, 2006 PTO Form 1449

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